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09/662,451	09/14/2000	Raanan Liebermann	99-352	9125

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Barry L Kelmachter  
Bachman & LaPointe PC  
Suite 1201  
900 Chapel Street  
New Haven, CT 06510-2802

EXAMINER
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BASHORE, ALAIN L

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1762

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 09/662,451  
Filing Date: September 14, 2000  
Appellant(s): LIEBERMANN, RAANAN

**MAILED**  
MAY 30 2006  
**GROUP 1700**

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Barry L. Kelmachter  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 4-26-06 appealing from the Office action mailed 11-23-05.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

No amendment after final has been filed.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is substantially correct. The changes are as follows: appellant has correctly pointed out that claims 21 and 22 which depend from claim 20 were rejected improperly because claim 20 was rejected after dependant claims were rejected. The rejection is now

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corrected by adding claims 21-22 to the same art rejection as claim 20. The rejections are thus:

Claims 1-7, 9, 10-17, 35-36, 42-45, and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman et al in view of Zingher et al.

Claims 18-21, 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman et al in view of Zingher et al as applied to claims above, and further in view of Franklin et al.

### **(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

### **(8) Evidence Relied Upon**

6,366,682	Hoffman et al	4-2002
5,731,575	Zingher et al	3-1998
5,883,810	Franklin et al	3-1999
5,946,386	Rodgers et al	5,946,386

### **(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7,9, 10-17, 35-36, 42-45, and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman et al in view of Zingher et al.

Hoffman et al discloses a method for carrying out personal transactions. There is registering a user of a system, the user accessing said system and providing said system with personal information about said user (col 4, lines 18-38). The registering step further comprises an identification number for said user and creating a PIN number (col 5, lines 1-16). There is disclosed telephone selection (col 18, lines 14-25) and multiple digits for the PIN number (col 17, lines 35-37). A customer database is utilized (fig 2). Access is disclosed to the system by telephone and computer (col 9, lines 40-45). An ATM and money withdrawal utilizing a PIN is disclosed (col 1, lines 45-60), and purchasing merchandise (col 16, lines 1-5) – thus .

It would have been obvious to one with ordinary skill in the art to include a specific number of digits (such as ten, or a telephone number as claimed) for the purposes of personal convenience of the user and also because there is taught a range that includes ten digits.

Hoffman et al does not disclose a segment described as a “security segment” of the PIN, or a security segment to signify a condition that is adverse or potential bodily harm or under duress or personal safety, or well being. There is also not disclosed calling the user at an activation time at least one monitoring location.

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Zingher et al discloses:

a "security segment" of the PIN where the security segment to signify a condition that is adverse or potential bodily harm or under duress or personal safety, or well being (col 1, lines 23-59);

a telephone number as PIN (col 13, lines 25-45), and

at least one monitoring location (col 9, lines 27-38).

Since Zingher et al discloses reversing, adding to, or modifying a PIN there is disclosed a security segment and change of that segment. It would have been obvious to one with ordinary skill in the art to include a "security segment" of the PIN and a security segment to signify a condition that is adverse or potential bodily harm or under duress or personal safety, or well being because of what is taught by Zingher et al. Zingher et al teaches that PIN modification within currently existing system parameters is important that bodily harm can result from victims who are users of PIN numbers (col 1, lines 23-59).

Also Zingher teaches that modifications to the PIN would be within the scope of the invention would therefore be obvious to one with ordinary skill in the art to make other PIN segment modifications as claimed (col 10, lines 33-44).

It would have been obvious to one with ordinary skill in the art to include a telephone number as PIN because Zingher et al teaches other methods for PIN usage, such a telephone numbers (col 13, lines 25-45) as described in the rejection above..

Claims 18-21, 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman et al in view of Zingher et al as applied to claims above, and further in view of Franklin et al.

Hoffman et al and Zingher et al do not disclose temporary file creation for transaction information transference wherein when a merchandise purchasing step connection allows downloading (as claimed in claims 18-24).

Franklin et al discloses temporary file creation for transaction information transference wherein when a merchandise purchasing step connection allows downloading (col 6, lines 50-56).

It would have been obvious to one with ordinary skill in the art to include temporary file creation for transaction information transference wherein when a merchandise purchasing step connection allows downloading because Franklin et al teaches online merchandise purchases requiring added precautions (col 1, lines 37-50).

Claims 25-34, 37-41, 46-60, 62-64, 122 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman et al in view of Zingher et al as applied to claims above, and further in view of Rodgers et al.

Hoffman et al and Zingher et al do not disclose providing access, identifying the user, storing, notifying of receipt thereof, or voice delivery of: an e- mail communication, a facsimile communication, or a page.

Rodgers et al discloses providing access, identifying the user, storing, notifying of receipt thereof, or voice delivery of: an e- mail communication, a facsimile communication, or a page (col 4, lines 19-34).

It would have been obvious to one with ordinary skill in the art to include providing access, identifying the user, storing, notifying of receipt thereof, or voice delivery of: an e- mail communication, a facsimile communication, or a page because of what is taught by Rodgers et al. Rodgers et al teaches that computerization of communication systems require versatility in the business environment (col 1, lines 12-39).



**(10) Response to Argument**

A PIN number is disclosed in the prior art of record and the manipulation of a security segment is also disclosed. Zingher et al teaches that PIN modification within currently existing system parameters are important because bodily harm can result from victims who are users of PIN numbers (col 1, lines 23-59). This teaching of the prior art would lead one with ordinary skill in the art to modify the primary reference as described in the prior art rejection of record. The use of a modified PIN is taught by the combination of the references as set forth in the rejection of record. The reference to PIN includes further references to various descriptions of number sequences such that there is encompassed particular "sequences" or "segments" as claimed by appellant.

Regarding e-mail and voice messaging (and their appropriately claimed means such as "server") per se, Hoffman et al discloses use of various means for "messages" such that the disclosure to Hoffman et al encompasses such (col 9, lines 38-45).

Both Hoffman et al and Rogers et al are concerned with business communications and are thus within the scope of the art.

The reference to Zingher et al teaches ease of PIN number creation by the user such that it would have been obvious to one with ordinary skill in the art to include particular segments as claimed for the purposes of ease of remembrance (col 6, lines 43-50).

Hoffman et al teaches both a PIN and other number utilized to thus authenticate and continue with a financial transaction (col 5, lines 1-16). Hoffman also teaches transferring information which is generic to appellant's recitation of claim 19. The disclosure to varied information utilized in Hoffmann et al (col 5, lines 1-45) which encompass "transaction information". Since downloading is present, there must inherently be a "buffer" present. The Hoffmann et al system disclose buyers and sellers, thus "individuals" are also disclosed. Since messages are shown to be correlated, there is present a database (col 21, lines 11-21).

Zingher et al teaches various use of credit card/or identification cards utilized (col 13, lines 25-35).

The temporary account record and PIN to Franklin et al meets the recitation of "temporary file".

Hoffmann et al teaches verification "as assiduously as possible" (col 17, lines 10-17), thus one with ordinary skill in the art would use credit/debit cards.

#### **(11) Related Proceeding(s) Appendix**


No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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**(12) Conclusion**

For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,

  
**ALAIN L. BASHORE**  
**PRIMARY EXAMINER**

Conferees:

  
**TIMOTHY MEEKS**  
**SUPERVISORY PATENT EXAMINER**

  
**GREGORY MILLS**  
**QUALITY ASSURANCE SPECIALIST**

  
**ALAIN L. BASHORE**  
**PRIMARY EXAMINER**